

08-15-06

RCE #

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	09/733,385
	<i>Filing Date</i>	December 4, 2000
	<i>First Named Inventor</i>	Harrington
	<i>Art Unit</i>	2178
	<i>Examiner</i>	Matthew J. Ludwig
	<i>Attorney Docket No.</i>	A0657-US-NP XERZ 2 00809

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☐ Other.

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references

iv. ☒ Other Preliminary Amendment

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **3 month extension of time** to respond to the outstanding Office Action.

c. ☐ Other _____

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	9 - 20 =	0	x \$50	= \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	5 - 12 =	0	x \$200	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	x \$360	= \$0.00
APPLICATION SIZE FEE (FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS)	0 GROUP(S)		x \$250	= \$0.00
BASIC RCE FEE (37 CFR 1.16(a))				\$790.00
TOTAL LARGE ENTITY FEE =				\$790.00

Payment for the filing of this Request for Continued Examination, any appropriate extension of time fees (and if applicable, the search and examination fees) are authorized to be charged to a Credit Card.


The appropriate PTO form 2038 is enclosed. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

August 14, 2006

Date


Joseph D. Dreher, Reg. No. 37,123
Eric W. Lee, Reg. No. 58,857
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION

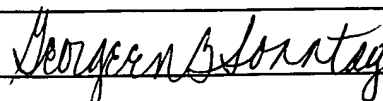
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being

☒ deposited with the United States Postal Service as EXPRESS MAIL, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.

Express Mail Label No.: EV 830319007 US

Signature:



Date: August 14, 2006

Name: Georgeen B. Sonntag